



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.12276 of 2019

- 1) C.Subburam
2) S.Olikodi
3) S.Guru Pavithra ... Petitioners 1 to 3/ Accused Nos.1 to 3

Vs.

1.State rep. by
The Inspector of Police,
Thirumangalam Town Police Station
Madurai District.
(Crime No.488 of 2018) ... Respondent / Complainant

2. Sivanandi ... 2nd Respondent/De facto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in FIR in Crime No.488 of 2018 on the file of the first respondent Thirumangalam Town Police Station, Madurai District and quash the same.

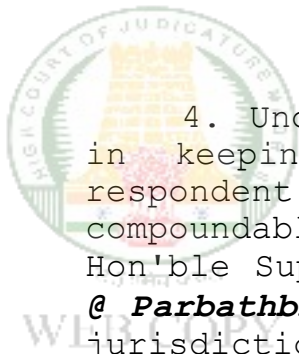
For Petitioner : Mr.R.Sundar
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in Crime No.488 of 2018 on the file of the first respondent Thirumangalam Town Police Station, for alleged offences under Sections 341, 294(b), 323 & 506(ii) of IPC.

2. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by the respondent Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending before the respondent police. Even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujarat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.488 of 2018 pending on the file of the first respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.488 of 2018, on the file of the first respondent police, is quashed and the terms of affidavit of the de facto complainant which shall form part and parcel of this order. The petitioners shall pay a sum of Rs.5000/- (Rupees Five Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Sd/-

Assistant Registrar(CS-III)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R. SUNDAR, Advocate (SR-85403[F] dated 05/09/2019)

Order made in
Crl.O.P. (MD) .No.12276 of 2019

Dated:
05.09.2019
09.09.2019

STS

JM/30.09.2019/2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>